



General Assembly

Substitute Bill No. 5626

February Session, 2008

* _____HB05626LAB____031308_____*

**AN ACT CLARIFYING THE HANDLING OF WORKERS'
COMPENSATION CLAIMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 31-284 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (a) An employer who complies with the requirements of subsection
5 (b) of this section shall not be liable for any action for damages on
6 account of personal injury sustained by an employee arising out of and
7 in the course of his employment or on account of death resulting from
8 personal injury so sustained, but an employer shall secure
9 compensation for his employees as provided under this chapter, except
10 that compensation shall not be paid when the personal injury has been
11 caused by the wilful and serious misconduct of the injured employee
12 or by his intoxication. All rights and claims between an employer who
13 complies with the requirements of subsection (b) of this section and
14 employees, or any representatives or dependents of such employees,
15 arising out of personal injury or death sustained in the course of
16 employment are abolished other than rights and claims given by this
17 chapter, provided nothing in this section shall prohibit any employee
18 from securing, by agreement with his employer, additional
19 compensation from his employer for the injury or from enforcing any

20 agreement for additional compensation; and further provided, the
21 exclusivity of remedy provided by this section shall not apply to an
22 action against an insurer, third-party administrator or self-insured
23 employer for breach of the covenant of good faith and fair dealing in
24 the handling of claims under this chapter or for violation of chapter
25 704 or section 38a-815.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	31-284(a)

LAB *Joint Favorable Subst.*